

Customer No.	026418	IC07 Rec'd PCT/PTO 28 APR 2005
Attorney's Docket No.:	GK-ZEI-3277 / 500343.20297	
U.S. Application No.:		10/533394
International Application No.:	PCT/EP2003/011925	
International Filing Date:	OCTOBER 28, 2003	28 OCTOBER 2003
Priority Date Claimed:	OCTOBER 28, 2002	28 OCTOBER 2002
Title of Invention:	OPHTHALMOLOGIC APPARATUS AND RELATED POSITIONING METHOD	
Applicant(s) for (DO/EO/US):	Oliver BAUMANN, Michael CLAUS, Axel DOERING, Ingo KOSCHMIEDER, Thomas SCHULZE and Bernd SPRUCK	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- [X] 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- [ ] 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- [ ] 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.
- [ ] 4. The US has been elected (Article 31).
- [X] 5. A copy of **Publication No. WO 2004/037077 06MAY04** the International Application as filed [35 U.S.C. 371(c)(2)]
- a) [X] is attached hereto (required only if not communicated by the International Bureau).
- b) [ ] has been communicated by the international Bureau.
- c) [ ] is not required, as the application was filed in the United States Receiving Office (RO/US)
- [X] 6. An English language translation of **Publication No. WO 2004/037077 06MAY04** the International Application as filed [35 U.S.C. 371(c)(2)]
- a) [X] is attached hereto
- b) [ ] has been previously submitted under 35 U.S.C. 154(d)(4).
- [ ] 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
- a) [ ] are attached hereto (required only if not communicated by the International Bureau).
- b) [ ] have been communicated by the international Bureau.
- c) [ ] have not been made; however, the time limit for making such amendments has **NOT** expired.
- d) [ ] have not been made and will not be made
- [ ] 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- [X] 9. An **UNSIGNED** Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)] **EXECUTED Decl/POA TO FOLLOW LATER**
- [ ] 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

**Items 11. to 20. Below concern other document(s) or information included:**

- [X] 11. **An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98**
- [ ] 12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included.
- [X] 13. **A preliminary amendment**
- [ ] 14. An Application Data Sheet under 37 CFR 1.76
- [ ] 15. **A substitute specification with abstract (attached to the preliminary amendment)**
- [ ] 16. A change of power of attorney and/or address letter
- [ ] 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 V+CFR1.821-1.825.
- [ ] 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).
- [ ] 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).
- [X] 20. (other items or information) **PCT/RO/105 22DEC03 w/REQUEST, Search Reports: PCT/ISA/220 and 210 16MAR04 and German Examination Report 29SEP03 PTO-1449 with 9 cited references.**

EXPRESS MAIL No.: **EV 302 916 305 US**

Deposited: **April 28, 2005**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 1450

*Ruth Montalvo*  
/Ruth Montalvo Date: **April 28, 2005**

U.S. Application No. (if known, see 37 C.F.R. 1.50):  
International Application No.: **PCT/EP2003/0011925**

Attorney's Docket No: GK-ZEI-3277 / 500343.20297

<input checked="" type="checkbox"/> <b>21.</b> The following fees are submitted:					<b>Applicant use</b>	<b>Office use only</b>
<input checked="" type="checkbox"/> a) BASIC NATIONAL FEE					\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee					\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee					\$ 500.00	
<b>TOTAL OF ABOVE CALCULATIONS: \$ 1,000.00</b>					<b>\$1,000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.						
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number).		Rate		
- 100 =	/50 =			X \$250.00	\$	
Surcharge of \$ 130.00 for furnishing the oath or declaration later than 30 month from the earliest claimed priority date (37 CFR 1.492(e))					\$	
Claims	Number Filed		Number Extra	Rate		
Total Claims: (Prel.Amdt)	10	- 20	0	X \$ 50.00	\$	
Independent Claims:	4	- 3	1	X \$ 200.00	\$ 200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS:</b>					<b>\$1,200.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(e)]					+	\$
<b>TOTAL OF ABOVE CALCULATIONS:</b>					<b>\$1,200.00</b>	
<input type="checkbox"/> Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by 1/2 for filing by small entity -						
<b>SUBTOTAL:</b>					<b>\$1,200.00</b>	
Processing fee of \$130.00 for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(f)]					+	
<b>TOTAL NATIONAL FEE:</b>					<b>\$1,200.00</b>	
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property					+	\$
<b>TOTAL FEE(S):</b>					<b>\$1,200.00</b>	
<b>AMOUNT TO BE REFUNDED</b>						\$
<b>AMOUNT TO BE CHARGED</b>						\$

(Please note the filing fee is based on the claims in the Preliminary Amendment)

- a) ☒ Check in the amount of \$ 1,200.00 to cover the above fees is enclosed.
- b) ☐ Please charge my Deposit Account No 50-1529 in the amount of \$ .00 to cover the fee..
- c) ☒ The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)
- d) ☐ Fee are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

Gerald H. Kiel, Esq.  
Reed Smith LLP  
599 Lexington Avenue  
New York, NY 10022-7650

(Customer No. 026418)

Signature:

Attorney:

Reg. No.

Date:

Gerald H. Kiel

25,116

April 28, 2005